

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

CERTIFICATE OF CONSULTATION

COMES NOW Lisa M. Martin, counsel of record for Defendant, Merck & Co., Inc., (hereinafter referred to as “Defendant”), in support of Merck’s Motion for Extension of Time to Produce Expert Disclosures, and states as follows;

1. On July 24, 2009, I called counsel for Plaintiff to discuss the present motion but received his voice mail. Accordingly, I left a detailed voice message describing the Motion for Extension of Time to Produce Expert Disclosures and the basis thereof and requesting he return my call to consult on the motion.

3. As of the time of filing this motion, I have not received a return phone call from counsel for Plaintiff.

Memphis 1077556v.1

Respectfully submitted this the 29th day of July, 2009.

s/ Lisa M. Martin

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Counsel for Defendant Merck & Co., Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served via ECF , upon the following counsel of record:

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ATTORNEYS FOR THE PLAINTIFF

on this 29th day of July, 2009.

s/ Lisa M. Martin